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LUXTERA, INC.
1819 ASTON AVENUE, SUITE 102
CARLSBAD CA 92008

In re Application of :
DICKINSON, ALEXANDER G. et, al :
Application No. 10/758,561 : **DECISION ON PETITION**
Filed: January 14, 2004 :
Attorney Docket No. LUX-P017 :

This is a decision on the Petition To Correct Date of Transmission Under 37 C.F. 1.8, received in the United States Patent & Trademark Office (USPTO) on November 21, 2006 which is being treated as a Petition to Withdraw Holding of Abandonment under 37 C.F.R. 1.18.

The petition is **DISMISSED**. Any request for reconsideration of this decision, or as explained below, filing a petition seeking revival under 37 CFR § 1.137, must be filed within TWO (2) MONTHS from the mail date of this decision.

The above-identified application was held abandoned for applicant's failure to timely file a proper reply to the Office letter mailed 7/25/2006 regarding the correction of formal drawings.

In light of the non-compliance with 37 CFR 1.25, the holding of abandonment cannot be withdrawn.

Applicant may seek relief by filing a petition for Revival of Abandoned Application under CFR § 1.137 (a) or (b). (Forms are available at USPTO website <http://www.uspto.gov>)

- Under 37 CFR 1.137(a), a petition for the revival of an **unavoidable** abandoned application
- Under 37 CFR 1.137(b), a petition for the revival of an **unintentionally** abandoned application

Further inquiries with respect to filing a petition under 37 CFR § 1.137 may be directed to the Office of Petitions at 571-272-3282 or addressed as follows:

By mail: Mail Stop Petitions
 Commissioner for Patents
 Office of Petitions
 P O Box 1450
 Alexandria, VA 22313-1450

Telephone inquiries concerning this decision matter may be directed to the undersigned at 703 308-9250 Ext. 163.

Nina D. Motley
Quality Operations Assistant
Office of the Director
Office of Patent Publications